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10/527,419

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EXAMINER

OMGBA, ESSAMA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,419	Applicant(s) REIMERT, LARRY E.	
	Examiner Essama Omgba	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species :

Species A: claims 1-9 and 11-24 drawn to a method of connecting a first body and a second body wherein connecting the second body with the first body comprises threadably engaging the internally threaded connection member with the externally threaded area along the first body.

Species B: claims 10 and 25, drawn to a method of connecting a first body and a second body wherein connecting the second body with the first body comprises providing a radially movable latch member with the second body and moving the latch member radially inward to engage grooves about the first body.

The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 2 and 14 are generic.

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would

not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election of the species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

2. During a telephone conversation with Mr. Loren Helmreich on May 2, 2008 a provisional election was made without traverse to prosecute the invention of Species A, claims 1-9 and 11-24. Affirmation of this election must be made by applicant in replying to this Office action. Claims 10 and 25 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Objections

3. Claims 11 and 12 are objected to because of the following informalities:
“reducing” in line 2 of claim 11 and line 1 of claim 12 should read --cutting--.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 9, 11, 13-16, 20 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Andrews (US Patent 2,702,715).

With regards to claims 1-5, 11, 13 and 15, Andrews discloses a method of connecting a first body 1 having a first bore with a first axis and a second body 6 having a second bore and a second axis substantially aligned with the first axis (figs. 1-3), the method comprising providing an elongate connection structure 3 on the first body, selectively cutting the first body to reduce an axial length of the connection structure on the first body, such that the connection structure terminates at a desired connection location (col. 3, lines 55-61), and connecting the second body with the first body (col. 3, lines 61-64), the first body comprising an externally threaded area 3 along the first body, wherein the second body comprises a second flange (5, 7) having an internally threaded connection member and connecting the second body with the first body comprises threadably engaging the internally threaded connection member with the externally threaded area along the first body (figs. 1-3), wherein another flange (6, 8) is connected with the second flange (5, 7).

Regarding claim 9, Applicant should note that either of the first or second bodies could be labeled an upper or a lower body.

Regarding claim 16, see another flange (6, 8) connected to tubular member 2.

Regarding claims 14 and 20, Andrews discloses a method of connecting a first body 1 having a first bore with a first axis and a second body 6 having a second bore and a second axis substantially aligned with the first axis (figs. 1-3), the method comprising providing an elongate connection structure 3 on the first body, selectively cutting the first body to reduce an axial length of the connection structure on the first body, such that the connection structure terminates at a desired connection location

(col. 3, lines 55-61), connecting the second body with the first body (col. 3, lines 61-64), connecting a tubular member 2 with the second body (figs. 1-3), sealing between the second body and the tubular member (col. 2, lines 36-38), the first body comprising an externally threaded area 3 along the first body, wherein the second body comprises a second flange (5, 7) having an internally threaded connection member and connecting the second body with the first body comprises threadably engaging the internally threaded connection member with the externally threaded area along the first body (figs. 1-3), wherein another flange (6, 8) is connected with the second flange (5, 7).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-8, 12, 17-19, 21, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews.

Regarding claims 6-8, 17-19, 21, 22 and 24, Andrews discloses a method of connecting a first body and a second body as shown above. Although Andrews does not disclose positioning an insulating material between the first body and the another flange, or between the second flange and the another flange, or between the another flange and the one or more threaded members, however it is within the general knowledge of one of ordinary skill in the art to provide insulating members between

such connected when necessary to electrically insulate the members from one another. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have positioned an insulating material between the first body and the another flange, or between the second flange and the another flange, or between the another flange and the one or more threaded members, as it is within the general knowledge of one of ordinary skill in the art. This would have electrically insulated the members from one another when it was deemed necessary to provide such insulation.

Regarding claim 12, Andrews discloses a method of connecting a first body and a second body as shown above except for wherein reducing the axial length of the connection structure follows connecting the second body with the first body, however it would have been obvious to one of ordinary skill in the art that reducing the axial length of the connection structure following connecting the second body with the first body is an obvious matter of design choice wherein no stated problem is solved or unexpected results obtained in reducing the axial length of the connection structure following connecting the second body with the first body, versus connecting the second body with the first body following cutting the axial length of the connection structure as taught by Andrews.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F 9-6:30, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Essama Omgba/
Primary Examiner, Art Unit 3726

eo
May 2, 2008